



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Department of Ecology A.O.# 05-13

Subject of possible rule making: Certification of Operators of Solid Waste Incinerator and Landfill Facilities (Chapter 173-300 WAC). There are amendments to the following sections: Definitions (020); Duties of the Board of Advisors (030); Operator certification required at incineration facilities (050); Operator certification required at landfill facilities (060); Certification of inspectors (070); Applications and certification requirements (080); Training and examinations (090); Certification term (100); Renewal of certificate (110); Fees (120); Revocation (130). A new section is also proposed, entitled, Contracting for Services (075).

Statutes authorizing the agency to adopt rules on this subject: Chapter 70.95D.080 RCW, Solid Waste Incinerator & Landfill Operators

Reasons why rules on this subject may be needed and what they might accomplish: The rule provides a process and criteria for certifying solid waste landfill and incinerator operators. The amendment specifically state that Ecology may enter into agreements for those certifications to be carried out by other governmental or non-governmental organizations under agreements or contracts with Ecology.

The rule clarifies existing language. Certification activities could be carried out without the rule amendment; however, the language being added or changed will avoid potential confusion and uncertainty.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

n/a

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

X Other (describe) The rule amendment will be developed by Ecology staff to clarify language to avoid potential confusion or uncertainty about Ecology's authority to enter into agreements with governmental or non-governmental agencies to carry out the requirements of the statute.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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